

**Government Information and Persons with Disabilities:
Identifying, Removing, and Preventing Barriers**

December 12, 2023

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Government Information and Persons with Disabilities: Identifying, Removing, and Preventing Barriers

Presentation at Government Information Days,

December 12, 2023,

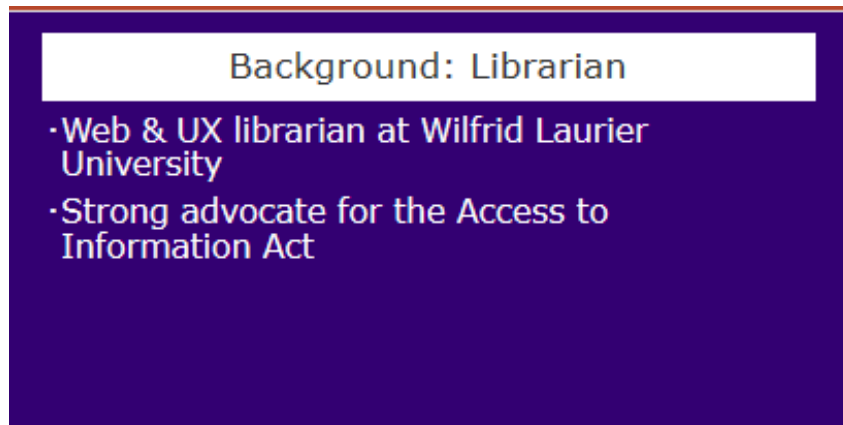
Mark Weiler, Wilfrid Laurier University

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Accessibility Note:

- This file was created in Word format
 - Verdana font was used and styles should be adjustable.
 - Each heading corresponds to a slide.
 - Each heading is followed by an image of the PowerPoint slide which may have text in it. However, the important text follows the image
- The Word file was exported to accessible PDF.
 - The PDF was verified as supporting reflow. Some small issues detected.

Background: Librarian



Background: Librarian

- Web & UX librarian at Wilfrid Laurier University
- Strong advocate for the Access to Information Act

I am the Web & UX librarian at Wilfrid Laurier University with responsibilities to the Psychology department and User Experience Design program.

I submitted to Government Information Days because I'm a strong believer in the right to access government information, especially unpublished information. I have used freedom of information laws several hundred times, beginning when I was a graduate student and this made me aware of the value of access to information. It is one of the reasons I became a librarian.

Background: Academic Research



Background: Academic research

- Remediated 200+
 - articles
 - dissertations and
 - reports for blind researcher

I've also remediated over 200 articles, dissertations, and reports, including reports on government websites, for a blind researcher. This drew my attention to accessibility issues in research materials.

Background: Citizen and friend

Background: Citizen and friend

- Advocate with groups for more accessible washrooms
 - Ceiling mounted lift
 - Adult-sized change tables
- User FOI to gather info about building code changes
- Get info for friends



And as a citizen, I have volunteered with a group advocating for accessible washrooms to have adult sized change tables and ceiling mounted lifts. For the group, I used freedom of information laws to get information to help us better participate in the reviews of national model building codes.

And finally, I have gotten information for friends with disabilities.

Forest fires in government information

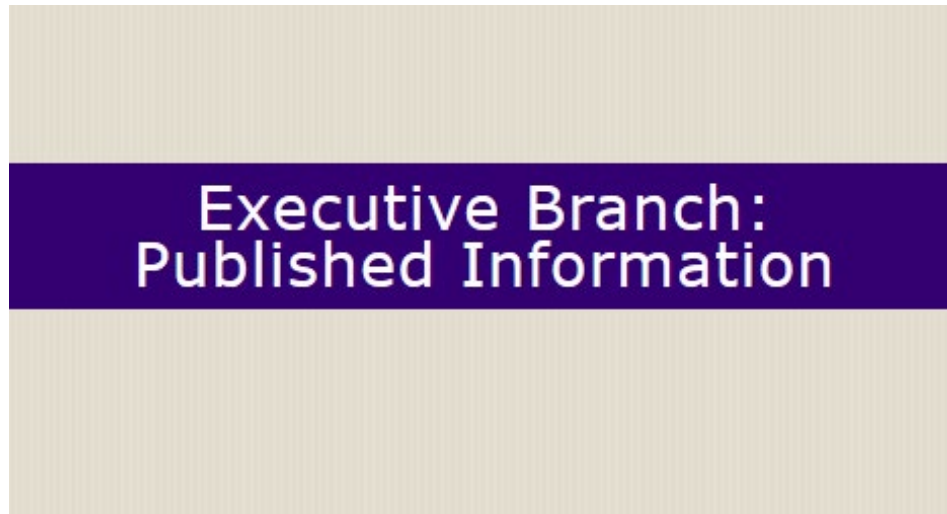
Forest fires in government information

- Will provide examples of inaccessibility in gov information
- This is not unique to gov information
- But I want to ring a fire alarm



From this background, I want to share with you some examples that makes me conclude there are accessibility forest fires in government information ecosystem. This is not unique to the field of government information. But nonetheless, I want to ring a fire alarm.

Section: Executive Branch: Published Information



Published Information

- Government of Canada Publications, publications.gc.ca
- Centralized public access point to federal departments

Let's start with published government reports.

Government of Canada Publications, which I simplify as Canada Publications, has a mandate to provide a centralized public access point to federal departments.

Example 1: Truth and Reconciliation's Call to Actions

Example 1: Truth and Reconciliation



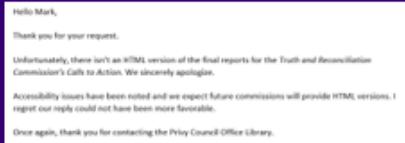
The screenshot shows the Government of Canada website with the title 'Truth and Reconciliation Commission of Canada: calls to action'. Under the 'Publication information' section, there is a link for 'Download PDF (2.1 MB)' which is highlighted with a red arrow and the word 'PDF' in a red box.

- Blind researcher wanted HTML version of report
- Only PDF available

In one situation, a blind researcher wanted a copy of the Truth and Reconciliation's Calls to Actions. The only version available from Canada Publications was a PDF version. But it was on fire because it was built without the features needed by screen readers users. The researcher needed a tagged HTML version of the report.

Example 1: Privy Council Office Says "No"

Example 1. Privy Council Offices says "No"



The screenshot shows an email from the Privy Council Office Library. The text of the email is as follows:

Hello Mark,

Thank you for your request.

Unfortunately, there isn't an HTML version of the final reports for the Truth and Reconciliation Commission's Calls to Action. We sincerely apologize.

Accessibility issues have been noted and we expect future commissions will provide HTML versions. I regret our reply could not have been more favorable.

Once again, thank you for contacting the Privy Council Office Library.

- "we expect future commissions will provide HTML versions"

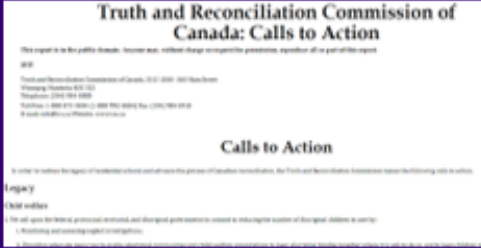
Unable to immediately locate a version, Canada Publications contacted the Privy Council Office. However, the PCO effectively said "tough luck" and walked away.

"Unfortunately, there isn't an HTML version of the final reports for the Truth and Reconciliation Commission's Calls to Action. We sincerely apologize.

Accessibility issues have been noted and we expect future commissions will provide HTML versions. I regret our reply could not have been more favorable."

Example 1: Depository Program Says "Yes"

Example 1. Depository Program said "Yes"



Truth and Reconciliation Commission of Canada: Calls to Action

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Truth and Reconciliation Commission of Canada, 222-1010 Avenue
Kingston, Ontario K1M 1X4
Telephone: (800) 960-9840
Website: www.trc.gc.ca
Aussi disponible en français.

Calls to Action

In order to better recognize the contribution of all Canadians to the process of reconciliation, the Truth and Reconciliation Commission is pleased to announce the following:

Legacy

Chair's office

For all open for future generations and for the government to ensure the legacy of the Commission is carried on.


A document available in multiple formats.

- Depository Program quickly produced an HTML version of the Calls to Action

But people in Depository Program put the fire out by creating an HTML version quickly. Kudos to them.

Example 2: Charter of Rights

Example 2. Charter of Rights and Freedoms



CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Ordered copy of Charter of Rights and Freedoms in braille through Canada Publications

- Took 50 days
- Read by multiple blind readers in Waterloo area

A second example. On October 5, 2023, I ordered a copy of the Charter of Rights and Freedom in braille, again through Canada Publications. It arrived almost 50 days later. I was surprised it took so long.

I can tell you it has been read by multiple blind readers here in the Waterloo area.

Example 3: Parks Canada Documents

Example 3

- Scoping review of national parks
- PDF versions available
- Accessible HTML versions took 7 months to arrive

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A third example.

I was on a research team doing a scoping review on the accessibility of national parks.

In February 2021, I downloaded PDF versions of accessibility guidelines published by Parks Canada in the 1990s. Again, these were on fire as they were inaccessible. Given our topic, I requested they be converted to accessible HTML files.

It took about 7 months for them to arrive.

Added back to Publications.gc.ca?

Added back to Publications.gc.ca?

[EXTERNAL *] RE: Posting accessible HTML versions on publications.gc.ca

Publications - Acquisitions <Publications.Acq>
To: Mark Weiler
2023-06-23

Dear Mr. Weiler,

We thank you for your email and we are sorry for the delay in response.

As you know, our mandate is to provide centralized access to Government of Canada publications. We work closely with departments to provide them with guidance on publishing and we remind them to submit both the portable format/PDF as required by the [Procedures for Publishing](#) as well as links to the accessible version of their publication, as per Government of Canada accessibility policies. Departments are required to make accessible versions available through their own departmental websites.

At the moment, it is not feasible for us to host accessible HTMLs on behalf of departments. However we are looking for a permanent solution to ensure that accessible versions are equally available.

Regards,

- I asked if they could post the Parks Canada documents
- "At the moment it is not feasible for us to host accessible HTMLs on behalf of departments", *Canada Publications Directorate*
- I've again asked: Post the braille charter on Publications.gc.ca

But now that these accessible versions exist, will they be made available to the public?

The HTML version of the Truth and Reconciliation report has not been posted alongside the PDF version.

I asked if Parks Canada documents could be post along side the inaccessible version, but they said this wasn't possible yet.

Dear Mr. Weiler,

We thank you for your email and we are sorry for the delay in response.

As you know, our mandate is to provide centralized access to Government of Canada publications. We work closely with departments to provide them with guidance on publishing and we remind them to submit both the portable format/PDF as required by the [Procedures for Publishing](#) as well as links to the accessible version of their publication, as per Government of Canada accessibility policies. Departments are required to make accessible versions available through their own departmental websites.

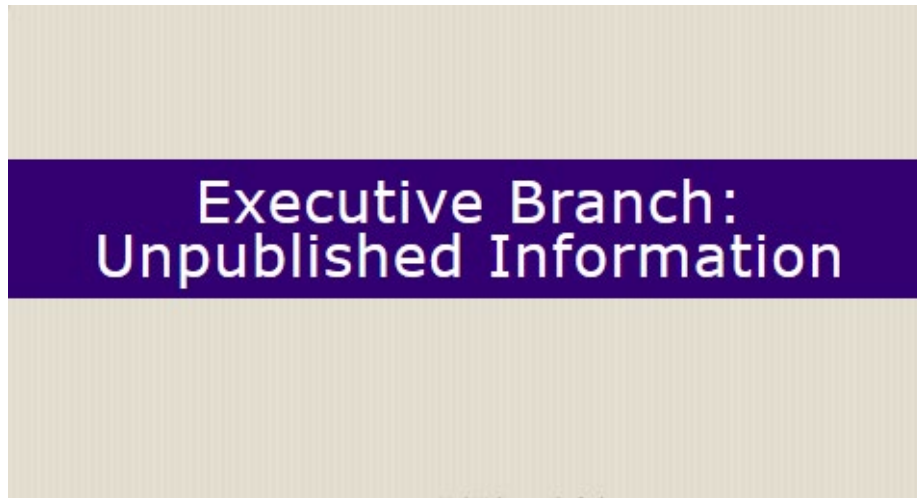
At the moment, it is not feasible for us to host accessible HTMLs on behalf of departments. However we are looking for a permanent solution to ensure that accessible versions are equally available.

Regards" (Client Service, Government of Canada Publications Directorate, June 6, 2023)

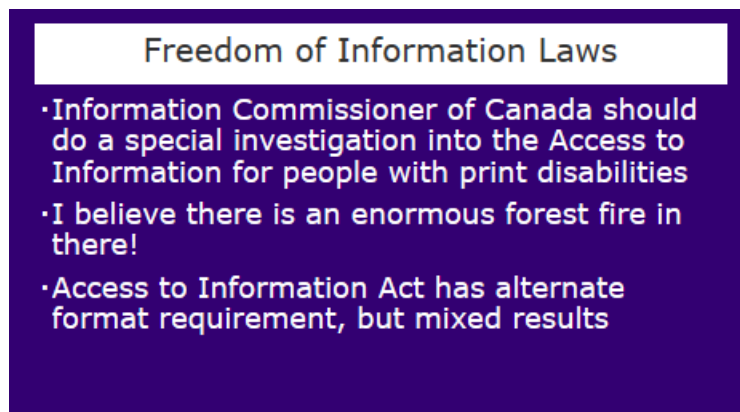
I've again asked they post an electronic version of the braille Charter in the public repository.

If the accessible versions are not being kept and shared, then the forest fires continue to burn.

Section: Executive Branch: Unpublished information



Freedom of Information laws




I want to shift to unpublished government documents.

FOI advocates often say, "FOI is broken." As a librarian I think this form of critical advocacy can breed a disenfranchising cynicism. My librarian strategy is to encourage people to use it in those situations where it is breathtakingly amazing, while acknowledging it needs to improve in other areas.

But I think the Information Commissioner should do a special investigation into barriers within the Access to Information Act for people with print disabilities.

While the Access to Information Act has a requirement to create alternate formats, I believe there is an enormous forest fire here.

Freedom of Information: Good example



Freedom of Information: Good example

- Canada School of Public Service:
- Did good job providing documents in accessible format

In one case, the Canada School of Public Service did a good job providing reports in their original format and not PDF; but let me tell you a place where it failed miserably.

Freedom of Information: Bad Example



Freedom of Information: Bad example

- Permission given to share story
- Friend of mine, Jay Oswald has multiple disabilities
- Couldn't access Canadian Congress on Disability Inclusion
- Employment and Social Development Canada wouldn't provide a recording
- Use ATI Act to get it format for his Daisy player
- Nothing has arrived

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I have been given permission to share this story. A friend of mine, Jay Oswald, has multiple disabilities and wanted to participate in the Canadian Congress of Disability Inclusion hosted by the government of Canada. Because of his disabilities Jay can't use computers. So, at his request, I asked Employment and Social Development Canada if he could call in by phone. They said they didn't have the ability. He asked me to ask them to send him a recording, but they wouldn't, citing copyright.

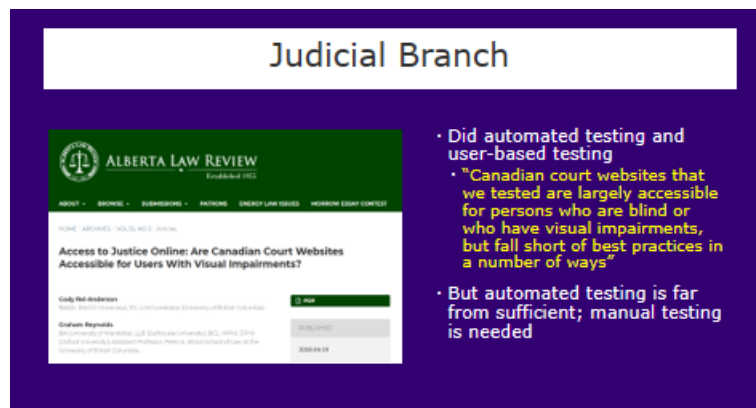
But under FOI, copyright isn't a reason for withholding documents. So, on his behalf, I ordered it in daisy format that could be played on his Daisy player. I also asked that all communications be sent to me in a print version and him in a form he could play on his Daisy player.

They haven't provided him with anything.

Section: Judicial Branch



Judicial Branch



Judicial Branch

ALBERTA LAW REVIEW
ESTABLISHED 1952

HOME ABOUTS VOL 56 NO 1 ARCHIVE

Access to Justice Online: Are Canadian Court Websites Accessible for Users With Visual Impairments?

Gordy Hill Anderson
Faculty of Law, University of Alberta

Software Required
This article requires the following software to be installed on your computer: Adobe Acrobat Reader DC

- Did automated testing and user-based testing
- "Canadian court websites that we tested are largely accessible for persons who are blind or who have visual impairments, but fall short of best practices in a number of ways"
- But automated testing is far from sufficient; manual testing is needed


Turning to court information. In 2018, the Alberta Law Review published an article "Access to Justice online: Are Canadian court websites accessible for users with visual impairments". They did automated testing of court websites and CanLII and did user-based testing.

They concluded "Canadian court websites that we tested are largely accessible for persons who are blind or who have visual impairments, but fall short of best practices in a number of ways" p.675.

However, I'm cautious of this conclusion because of the study's reliance on automated tests. It is well known that assessing content requires a significant degree of manual testing.

Judicial Branch, Continued

Judicial Branch



The screenshot shows the 'The Courts of British Columbia' website. The main heading is 'Court of Appeal'. There are two fire icons overlaid on the page, one near the top right and one near the bottom right, indicating missing heading tags. The page content includes a description of the Court of Appeal, a list of 'JUDGES OF APPEAL ACT AND SENIOR', and a list of 'JUDGES IN MAY 2018'. The page also features a sidebar with navigation links and a footer with contact information.

- In 2018, the authors reported BC Court of Appeal and Supreme Court websites as missing heading tags
- The problem still exists / the fires still burn

It is disappointing to note that in 2018, the article observed that the BC Supreme Court and Court of Appeals website didn't use headings tags, which is a basic feature. I checked the website on the weekend and the heading problems were still on fire. I've reported this "fire" to the BC Courts.

Section: Legislative Branch



Ontario Legislative Assembly Library

Ontario Legislative Assembly Library

Home - OFFICE, EVENTS, AND CONTACTS - ORGANOGRAM - Research papers

Research papers

The Legislative Library and Legislative Research provides MLAs, their staff, and legislative committees with confidential, non-partisan research and analysis on request. They also prepare research papers on key public policy topics of interest to parliamentarians.

Research papers are prepared by senior MLAs and their staff and their work, however, when research papers are available to the public.

Title	Author	Date published
Tobacco and Public Services: A Guide for Legislators	Mike Scudamore	March 2023
Indigenous Affairs and Public Services	Shirley Lazar	February 2023
Public Administration in Ontario	Lauren Warner	February 2023

- 16 research papers
- Great! Tagged
 - Image description
 - Block quotes
 - (some heading problems)

I now want to turn to the legislative branch.

I was looking at the Ontario Legislative Library. I noted they provided 16 research papers in PDF and HTML version. The HTML versions had image description and blockquotes, which should be applauded. But I did find some obvious heading problems, which I reported.

These 16 research papers are obviously the tip of the PDF report iceberg, but I way say: invest in whoever did this!

Petitions

Petitions



Petitions

A petition is a document that is addressed to the Legislative Assembly of Ontario and signed by at least one person. It asks the Legislature to act on or change its position on an issue. A petition can be submitted by an individual or a group.

Preparing a petition

To be presented to the Legislative Assembly, a petition must meet the following rules:

- It must ask for an action that is within the jurisdiction of the Legislative Assembly.
- It must use clear and respectful language.
- The text of the petition must be at the top of every page of signatures.
- All signatures must be original. They must be written directly on the petition.
- Each petitioner must print his or her name and address and sign his or her name under the text of the petition.

- Imagine collecting support for a petition in Ontario
- Knock at door:
 - **Blind person or person with significant manual dexterity impairment answers**
 - **Can't sign name or print address as required**
 - **"Can I still support your petition?"**
- What do you do?
- Friends Abduke Melka & Jay Oswald (with permission) and I are meeting MPP Catherine Fife

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Petitions are a long-standing way of raising grievances with legislative bodies.

So, imagine you are collecting support for a petition in Ontario. The Ontario legislative assembly instructs you to get petitioners to sign their name and print their address on a form.

You knock at a door. You ask the person who answers for their support. They explain they are blind or have a manual dexterity impairment so can't sign or print their address. They ask you if they can still participate in your petition.

You pull out your smart phone and go to the Legislative Assembly website. It offers no guidance.

Aside: The petition instructions say:

- *All signatures must be original. They must be written directly on the petition.*
- *Each petitioner must print his or her name and address and sign his or her name under the text of the petition.*

So, the Ontario Legislative Assembly seems to be giving you an implicit message: "this person in front of you is not worthy enough to be heard by members, walk on". What would you do?

I've been given permission to tell you that two friends who are blind, Jay Oswald and Abduke Melka, are joining me in meeting with my MPP Catherine Fife to discuss how this fire can be put out.

Summary



Final Thoughts

A slide titled "Final thoughts" with a purple background. It features two images on the left: the top one shows a person in a forest holding a long pole, and the bottom one shows a team of firefighters in yellow gear working in a field. To the right of the images is a list of bullet points.

Final thoughts

- If we accept these accessibility fires as "normal", then we are accepting a government information ecosystem that is hostile to people with disabilities
- Not meant to discourage
- Call to believe in yourself
- Pick up a shovel
- Find a forest fighting team

Mark Weller m.weller@tulucn

I don't think I'm cherry-picking problems. I think there are forest fires. If we accept them as "normal", then we are accepting a government information ecosystem that is hostile to people with disabilities.

This presentation isn't meant to discourage anyone, but rather is a call to those who are hesitant or uncertain about what to do. Please believe in yourself. Pick up a shovel, even if you are alone. At some point you will find your forest fire fighting team.